

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/101

Feb 19 11 01 AM '98

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING ESTABLISHING DATE FOR INCORPORATION OF RESPONSES INTO THE RECORD

(February 19, 1998)

During discovery on the case-in-chief of participants, including rebuttal to the Postal Service, a significant number of answers unrelated to specific prepared testimony have been provided by intervenors as institutions. Additionally, a number of responses have been received after witnesses appeared on the stand, in particular from Postal Service witnesses providing responses to discovery from participants and to Presiding Officer Information Requests. Answers to discovery provided by a party as an institution, or provided by a witness after that witness was available for oral cross-examination, may be admitted into the evidentiary record in accordance with the following procedures:

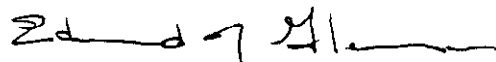
- Designation of answers provided by a participant as an institution during this phase of discovery must be filed as a separate packet on or before February 26, and comply with the requirements of special rule 4.A.
- Designations of institutional responses must be served on all participants as provided in special rule 3.B. The exception set out in special rule 3.C. shall not apply to designations of institutional responses.
- Designation of answers provided by a witness after that witness was available for oral cross-examination, whether the witness appears on behalf

of the Postal Service or some other participant, must be filed on or before February 26.

- Designated answers will be collected in a separate volume of transcript and admitted into evidence subject to timely objections to the receipt of any particular response, or motions that a witness respond to oral cross-examination on a particular response. Answers will be admitted into the record and published after the March 3, 1998, hearing.
- Objections and/or motions to provide a witness must be filed within seven days of the designation to which they refer. Requests for oral cross-examination must describe in detail the subject matter of the questions to be posed, and explain why follow-up written questions were not sufficient to explore the context and content of the answer. Answers to such pleadings are due in seven days.

RULING

Designations of responses to discovery requests provided by the Postal Service and other participants in this case are to be submitted in accordance with the requirements in the body of this ruling.



Edward J. Gleiman
Presiding Officer